

13
Official Correspondence

BETWEEN

LORD MALMSBURY

AND

M. DELACROIX,

MINISTER OF THE FRENCH REPUBLIC;

INTERSPERSED WITH

INTERESTING NOTES AND REMARKS

ON THE SUBJECT.

COMPILED BY

J. TALMA, DENTIST, IN CHESTER.

London:

PRINTED FOR T. CONDER, No. 30, BUCKLESBURY.

1797.

Official Correspondence

1871

LORD MANSFIELD

AND

M. DELACROIX

MINISTER OF THE INTERIOR

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INTERESTING NOTES AND REMARKS

ON THE SUBJECT

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1871

THE Editor of this pamphlet having before had the honour of offering, to an impartial public, a work on the important subject of the French Revolution, the flattering reception that attended his humble efforts on that occasion has induced him to avail himself of the present highly interesting event—the late unfortunate Mission of Lord Malmesbury to negotiate a Peace with the French Republic: An event the importance of which wants no elucidation to impress it on a mind susceptible of those reflections which must agitate every friend to the human race, whatever nation he may belong to, or whatever party he may espouse.

The Editor of the Boston Herald
 of Boston, has published a report of the
 late report of the Committee on the
 subject of the proposed amendment to the
 Constitution of the State, which is
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 It is a very well written and
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LORD MALMSBURY'S

MISSION.

THE English Government wishing to open a negotiation for peace with the French Republic, desired a passport from the Directory for a person to proceed to Paris for the purpose of making proposals for peace. This overture was made through the medium of Count Jarlsberg, the Danish Minister.

(No. 1.)

Downing-street, Sept. 6, 1796.

SIR,

In obedience to the orders of the King my master, I have the honour to transmit to you the inclosed note, and to request of you that you will forward it to his Danish Majesty's Minister at Paris, to be by him communicated to the Executive Directory.

The sentiments of your Court are too well known to the King to admit of his Majesty's entertaining any doubt of the satisfaction with which his Danish Majesty will see the intervention of his Ministers employed on such an occasion, or of the earnestness with which you, Sir, will concur in a measure that has for its object the re-establishment of peace.

I have the honour to be, with the most perfect consideration, Sir, your most humble, and most obedient servant,

GRENVILLE.

To the Count Wedel Jarlsberg.

(No. 2.)

His Britannic Majesty, animated with the same desire, which he has already manifested, to terminate, by just, honourable, and permanent conditions of peace, a war which has extended itself through all parts of the world, is willing to omit nothing on his part which may contribute to this object.

It is with this view that he has thought it proper to avail himself of the confidential intervention of the Ministers of a neutral power, to demand of the Executive Directory passports for a person of confidence whom his Majesty would send to Paris with a commission to discuss, with the Government there, all the means most proper to produce so desirable an end.

And his Majesty is persuaded that he shall receive, without delay, through the same channel, a satisfactory answer to this demand, which cannot fail to place, in a still clearer light, the just and pacific dispositions which he entertains in common with his allies.

GRENVILLE.

Westminster, Sept. 6, 1796.

(No. 3.)

MY LORD,

I have the honour to inform your Excellency, that the note addressed to the Executive Directory of France, in date of the 6th of the present month, was transmitted by Mr. Koeneman, Chargé d'Affairs of his Danish Majesty, to Mr. Delacroix, Minister for Foreign Affairs, at Paris; who promised that an answer should be returned to it after it had been submitted to the consideration of the Government. Three days having elapsed in expectation of this answer, Mr. Koeneman went a second time

to the Minister above-mentioned, who gave him to understand, that the Executive Directory had not permitted him to return an answer in writing, but that he was directed to express himself verbally to this effect:

“That the Executive Directory of the French Republic would not, for the future, receive or answer any overtures or confidential papers transmitted through any intermediate channel from the enemies of the Republic; but that if they would send persons furnished with full powers and official papers, these might, upon the frontiers, demand the passports necessary for proceeding to Paris.”

I have the honour to be, with the most perfect respect,
my Lord, your Excellency's most humble and most obedient servant,

(Signed) COUNT DE WEDEL JARLSBERG.

London, Sept. 23, 1796.

(No. 4.)

Paris, Sept. 19, 1796.

SIR,

I was indisposed at my country-house when your Excellency's courier brought me the letters which your Excellency did me the honour to write to me on the 7th instant, together with the note of Lord Grenville enclosed therein. I set off for Paris on the following day, where, after demanding an audience of Citizen Delacroix, Minister for Foreign Affairs, I presented the note above-mentioned, accompanied by another in my own name, in which I explained the motives that had induced me to undertake a measure for which I had no authority from my Court. He promised to submit the two notes to the inspection of the Government, and to return me an answer immediately. Having waited for

three days without receiving an answer, I went a second time to wait upon the Minister, who, in a very dry tone, informed me, that the Executive Directory had not permitted him to return an answer in writing, but that he was directed to express himself verbally to this effect:

“That the Executive Directory of the French Republic would not, for the future, receive or answer any confidential overtures or papers transmitted through any intermediate channel from the enemies of the Republic; but that if they would send persons furnished with full powers and official papers, these might, upon the frontiers, demand the passports necessary for proceeding to Paris.”

Such, Sir, is the result of a measure which I have taken at your request. I wish, for the sake of humanity, that we may meet with better success at some future period; but I fear that this period is still at a great distance.

KOENEMAN.

To his Excellency the Count de Wedel Jarlsberg.

Accordingly the English Ministers followed the line of conduct pointed out by the Directory, and sent the following note, by the Princess Augusta cartel, John Radcliff, commander, to Boulogne:


(No. 5.)

In demanding of the Executive Directory of the French Republic, through the intervention of the Ministers of a neutral power, a passport for a confidential person to be sent to Paris, the Court of London accompanied this demand with the express declaration, that this person should be commissioned to discuss with the

Government all the means most proper for conducing to the re-establishment of peace.

The King, persevering in the same sentiments, which he has already so unequivocally declared, will not leave to his enemies the smallest pretext for eluding a discussion, the result of which will necessarily serve either to produce the happiness of so many nations, or at least to render evident the views and dispositions of those who oppose themselves to it.

It is therefore in pursuance of these sentiments, that the undersigned is charged to declare, that as soon as the Executive Directory shall think proper to transmit to the undersigned the necessary passports (of which he, by this note, renews the demand already made) his Britannic Majesty will send to Paris a person furnished with full powers, and official instructions, to negotiate with the Executive Directory on the means of terminating the present war, by a pacification just, honourable, and solid, calculated to restore repose to Europe, and to ensure, for the time to come, the general tranquillity.

(Signed) 

GRENVILLE

Westminster, Sept. 27, 1796.

To the Minister for Foreign Affairs, at Paris.



(No. 6.)

I have the honour to transmit to Lord Grenville a copy of the Decree of the Executive Directory of the French Republic, in answer to his note of the 27th September, 1796 (O. S.)

He will there see a proof of the earnest desire of the French Government to profit of the overture that is made to them, in the hope that it may lead to peace with the Government of England.

I have the honour to send to him, at the same time,

the passports required for the Minister Plenipotentiary, whom his Britannic Majesty proposes to name to treat; and I request Lord Grenville to accept the assurance of my personal wishes for the success of this negotiation, as well as of my most perfect consideration.

(Signed)

CH. DELACROIX.

Paris, 11 Vendemiaire, 5th year of the French Republic.

(No. 7.)

*Extract from the Register of the Decree of the
Executive Directory.*

The 9th Vendemiaire, 5th year of the French Republic,
one and indivisible.

The Executive Directory, upon consideration of the note addressed to the Minister for Foreign Affairs by Lord Grenville, dated Westminster, September 27, 1796, wishing to give a proof of the desire which it entertains to make peace with England, decrees as follows:

The Minister for Foreign Affairs is charged to deliver the necessary passports to the Envoy of England, who shall be furnished with full powers, not only for preparing and negotiating the peace between the French Republic and that power, but for concluding it definitively between them.

True copy.

(Signed)

L. M. REVELIERE LEPEAUX, PRESIDENT.

By the Executive Directory.

For the Secretary General,

(Signed)

LE TOURNEUR.

Certified true copy.

The Minister for Foreign Affairs,

CH. DELACROIX.

By the Minister,

J. GUIRAUDET, SEC. GEN.

The Directory, on account of the note (No. 5.) published the following:

An official note, dated from Westminster, the 27th of September, 1796, remitted the 4th of October, to the Minister for Foreign Affairs, and by him presented to the Directory, desires passports for an Envoy from the British Cabinet, who is to come to France to make overtures of peace. The Executive Directory forthwith made a decree, charging the Minister for Foreign Affairs to deliver the passports desired to the Envoy of England, *who shall be invested with full powers, not only to propose and negotiate a peace between the French Republic and Great-Britain, but to conclude it definitively between the two powers.* If, then, the English Government is sincere; if this proceeding, like all those she has made up to this time upon this point, does not tend merely to make the world believe that she carries on the war unwillingly, and that it is made in order to have the pretext to require supplies which the English people sees them spend with regret; if this Government abjures unjust hatred, if she opens her ear to the voice of humanity, if she yields to the wish of the nation, whose interests and welfare are entrusted to her care, the peace will experience neither delay nor obstacle.



The following Note was published by the Executive Directory, in consequence of the rumours circulated at Paris of an Envoy having been sent by the British Cabinet with proposals of peace to the Directory:

Different Journals have asserted that an English Plenipotentiary has arrived in Paris, and has presented himself to the Directory, but that his propositions not

appearing satisfactory, he has received orders to quit France instantly. All these assertions are equally false.

The statements made in the English papers of a Minister to be sent to Paris to treat for Peace, bring to our recollection the overtures of M. Wickham to the Ambassador of the Republic at Basle, and the reports circulated, relative to Mr. Hammond's mission to the Court of Prussia. We have not forgotten the insignificant, or rather cunning duplicity and puny style of Mr. Wickham's note.

According to the partizans of the English Minister, it was at Paris that Mr. Hammond was to go to propose peace; when his destination was published, and it was known that he was gone to Prussia, the same persons repeated that it was to hasten peace, and yet the well-known object of that negotiation was to prevail on Prussia to violate the treaties with the Republic, and to enter again into the coalition.

The Court of Berlin, faithful to its engagements, has rejected these perfidious propositions. But in making of this intrigue, a mission of peace, the English Minister joined to the hope of creating a new enemy to France, that of justifying a continuation of the war to the eyes of the English Nation, and of throwing all the odium of it on the French Government. Such was also the object of M. Wickham's note. Such is also that of the assertions made at this time in the English papers.

This object will appear evident, if we consider how difficult it is, that the ambitious Government of England should wish sincerely for a peace, which will deprive her of her maritime preponderance; re-establish the liberty of the seas; afford a spring and resources to the Spanish, Dutch, and French marines; and will carry to the greatest degree of prosperity, the industry and the commerce of

France, Spain, and Holland, nations in which she has always found rivals and enemies of her own whenever they have become weary of being her dupes. But we shall cease to give credit to the pacific intentions of the English Minister, when we know that his gold and his intrigues, that his secret and open insinuations attach more than ever to the Cabinet of Vienna, and are one of the principal obstacles to negotiations into which that Cabinet would have been led by itself, for the purpose of obtaining a peace.

Finally, we shall cease to give credit, when we consider the moment at which the report of these overtures is circulated.

The English nation supports with impatience the continuance of the war, it is necessary to answer its complaints and its reproaches. The Parliament is about to open its session; it is necessary to close the mouths of those speakers who may speak against the war; it is necessary to justify the demand of new taxes; and for obtaining all those ends, it is necessary to be able to advance, that the French Government refuses all propositions of a reasonable peace.*

The following is taken from the Ami des Loix, avowedly conducted by the Representative Poultier, October 3.

England speculates upon a peace, it is necessary and indispensable to her commerce. France desires, and Europe demands a peace. It remains for us to second these general dispositions.

Let us give peace to Germany and to Italy. But let us

* The above note refers obviously only to the first communication made by the English Government through the Danish Minister.

not treat with England but under the express stipulation that she shall restore all that has been transferred to her by treason since the commencement of the war.

The ambition of the British Government is to obtain an exclusive commerce and an universal monopoly. Its policy is less to achieve the conquest of territory than to possess itself of those military points which insure the empire of the seas. This object has been obtained by the conquests of the islands of Corsica and the Elbe, to which that of Malta may shortly be added. It has been aided by the taking of the Cape of Good Hope, Martinico, and Mole St. Nicholas, in the island of St. Domingo.

But almost the whole of the latter colony, with the islands of Guadaloupe and St. Lucia, have returned to the dominion of the French, by the freedom which we have given to the Blacks.—This terrible weapon in our hands threatens the whole of the English West India islands. If Mr. Pitt chuses, therefore, to preserve Jamaica and the Windward islands, he must sue on his knees for a peace, or he will shortly be without a foot of land in that Archipelago. His fleets, his treasures, and his mercenaries will avail him nothing against an enemy who has no occasion for fleets or soldiers, and who have not to encounter with a destructive climate.

Our influence in the new world is decided by the declaration of rights; to preserve our own, England must have a peace; she cannot hesitate, therefore, to restore Martinico and Tobago, on our restoring what we have conquered in that quarter.

In India the advantages obtained by England are invaluable. Masters of the Cape of Good Hope, of Ceylon, of Trincomale, and Batavia, they possess, in fact, all the European establishments on the continent of Asia.

Nothing remains to us but the Isles of France and Reunion.

It must be allowed that such successes have greatly raised the British pride; but when it is considered that they cannot profit even of their ancient possessions in India but through a peace, and that the maintenance of their military marine would alone absorb all the profits of their commerce, there can be no doubt but that the Cabinet of St. James's will make every sacrifice to treat with the French Republic.

The conditions are simple. They consist of the restitution of all the conquests which they have made from Holland and from France, with the restoration of Gibraltar to Spain. Without these we will go to conquer the English in London.



Lord Malmfbury* was chosen Ambassador from this country to the Republic of France.

Perhaps there never was entrusted to any human being a negotiation more difficult and delicate in its nature, and requiring more abilities and caution in the conduct of it, than that which was entered into with the French Republic. In former negotiations little else was to be adjusted beyond the claims of the contending powers to territorial possessions; the parties at war were not actu-

* Lord Malmfbury is son of Mr. Harris, the author of the celebrated work called "Hermes," who, about thirty years ago, was one of the Lords of the Admiralty, and afterwards a Lord of the Treasury. His Lordship, who is just fifty years old, was, in 1768, appointed Secretary to the embassy to Spain. He was afterwards made Minister at Bruffels; and, in 1772, Envoy Extraordinary to Berlin. In 1776 he went in the same character to Peteriburgh; and, in 1784, he was made Ambassador to the Hague.

ated by very violent prejudices, or agitated by very deep resentments.

Materially different, however, is the present case; in this war it is not two nations that are engaged in a contest about some petty fishery, some navigation of an unproductive river, or the exclusive possession of some blasted heath. Of this war the complexion and character have been more deadly and fatal; old prepossessions have been set against new systems; prejudices have been opposed to principles; the privileged have been contending with the unprivileged; the mind of man has been goaded, and irritated, and inflamed beyond all former example; and all the passions of the human heart have been let loose to render the contest more remorseless, and to rage without constraint or controul. To heal such wounds requires the nicest hand, and the most consummate skill.

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( No. 7.\* )

Lord Malmſbury, who is appointed by the King to treat with the French Government for a just and equitable peace, and calculated to restore repose to Europe, and to ensure the public tranquillity for the time to come, will have the honour to deliver this letter from me to M. Delacroix.

The distinguished rank and merit of the Minister of whom his Majesty has made choice on this occasion, makes it unnecessary for me to say any thing in his recommendation; at the same time that it furnishes a fresh proof of the desire of his Majesty to contribute to the success of this negotiation; for which object I entertain the most sanguine wishes.



Monsieur Delacroix will have the goodness to accept from me the assurance of my most perfect consideration.

(Signed)

GRENVILLE.

Westminster, October 13, 1796.

*To the Minister for Foreign Affairs, at Paris.*

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(No. 8.)

Lord Malmfbury, named by his Britannic Majesty as his Plenipotentiary to the French Republic, has the honour to announce by his Secretary, to the Minister for Foreign Affairs, his arrival at Paris; and to request of him, at the same time, to be so good as to appoint the hour at which he may wait upon him, for the purpose of communicating to him the object of his mission.

Paris, October 22, 1796.

To the Minister for Foreign Affairs.

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Lord Malmfbury's entrance into Paris was very brilliant. About ten miles from the city he was met by a crowd of people, many of whom were the ever-active fish-women, who received him with the loudest acclamations, surrounding the carriage, and taking every means to testify their joy. As they approached the environs of Paris the crowd prodigiously increased. The *Poissardes* entered Lord Malmfbury's carriage and overwhelmed him with their caresses; and the mob were about to take off the horses and draw him in triumph into the city, an honour which his Lordship was anxious to decline; he therefore threw some handfuls of money\* amongst the crowd, which, drawing all

\* Great quantities of Louis-d'ors were bought up in London for Lord Malmfbury's embassy.



their attention, he was permitted to reach the place of his destination without further interruption, but still attended by an immense applauding multitude.

Lord Malmesbury's introduction to the Directory was preceded by a note, published by the Government in their official journal, in which they say, that "if the sincerity of the pacific views manifested by the English Government in these circumstances, answers to the conjectures that may be drawn from the *eclat* of the embassy, that nothing will prevent a speedy peace. The wish of the French Government was known; they never neglected any occasion to treat for peace with all those powers which have been disposed to peace; they have rejected no propositions that have been made when they accorded with the dignity and rights of the Republic; and the last treaty, concluded with Naples, ought to leave no doubt with respect to their principles of justice and moderation."

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(No. 9.)

The Minister for Foreign Affairs learns with satisfaction the arrival of Lord Malmesbury, Plenipotentiary of his Britannic Majesty. He will have the honour to receive him to-morrow, at eleven o'clock in the morning, or at any later hour that may suit him, till two o'clock. He hopes Lord Malmesbury will forgive him for thus limiting the time, on account of the nature and the multiplicity of his occupations.

1st Brumaire, An. 5, (Oct. 22, 1796)

*To Lord Malmesbury, Minister Plenipotentiary
from his Britannic Majesty, to the French
Republic, at Paris.*

(No. 10.)

Lord Malmſbury has the honour to thank the Miniſter for Foreign Affairs for the obliging anſwer which he has juſt received from him.

He accepts with pleaſure the firſt moment propoſed, and will wait upon him to-morrow morning, at eleven o'clock preciſely.

Paris, Oct. 22.

To the Miniſter for Foreign Affairs.

(No. 11.)

The Miniſter for Foreign Affairs has the honour to appriſe Lord Malmſbury, Commiſſioner Plenipotentiary of his Britannic Maſteſty, that he has received from the Executive Directory the neceſſary powers for negotiating and concluding peace between the Republic and his Maſteſty.

To-morrow, if Lord Malmſbury pleaſes, the reſpective powers ſhall be exchanged. The Miniſter for Foreign Affairs will then be ready to receive the propoſitions which Lord Malmſbury is commiſſioned to make to the Republic on the part of his Britannic Maſteſty.

The Miniſter for Foreign Affairs requeſts Lord Malmſbury to accept the aſſurances of his high conſideration.

(Signed)

CH. DELACROIX.

2 Brumaire, An. 5, (Oct. 23, 1796)

(No. 12.)

Lord Malmſbury has the honour to preſent his acknowledgments to the Miniſter for Foreign Affairs, for

the communication which he has just made to him, and he will have the honour to wait upon him to-morrow at the hour which he shall have the goodness to appoint, to receive the copy of the full powers with which he is furnished on the part of the Executive Directory; and as soon as they shall have been exchanged, he will be ready to commence the negotiation with which he is charged.

He requests the Minister for Foreign Affairs to accept the assurances of his high consideration.

(Signed)

MALMSBURY.

Paris, Oct. 23, 1796.

(No. 13.)

Extract from the Register of the Decrees of the Executive Directory.

2 Brumaire (23 Oct.) 5th year of the French Republic,
one and indivisible.

The Executive Directory, after having heard the report of the Minister for Foreign Affairs,

The Citizen Charles Delacroix, Minister for Foreign Affairs, is charged to negotiate with Lord Malmesbury, Commissioner Plenipotentiary of his Britannic Majesty, furnished with full powers to prepare and negotiate peace between the French Republic and that Power, and to conclude it definitively between them. The Directory gives to the said Minister all powers necessary for concluding and signing the said treaty of peace to take place between the Republic and his Britannic Majesty. He shall conform himself to the instructions which shall be given him. He shall render a regular account, from time to time, of the progress and of the issue of the negotiations.

The present decree shall not be printed at this time.

(A true copy.)

(Signed)

L. M. REVELIERE LEPEAUX, PRESIDENT.

By the Executive Directory.

The Secretary General,

(Signed)

LA GARDE.

Copy.

The Minister for Foreign Affairs,

(Signed)

CH. DELACROIX.

By the Minister,

(L. S.)

J. GUIRAUDET, Sec. Gen.

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On the 24th Lord Malmesbury presented his Credentials to the Minister for Foreign Affairs, of which the following is a translation: (*The original are in Latin.*)

“GEORGE REX.

“George, by the grace of God, King of Great Britain, France,\* and Ireland, defender of the faith, &c. to all to whom these presents shall come, greeting—Seeing that the flame of war has for a long time raged in different parts of the globe; deeply occupied with the project of terminating so many quarrels and dissensions, of restoring and consolidating the public tranquillity; resolved for this purpose to chuse a man capable of a negotiation of this importance, and to invest him with *full* authority to complete so great a work, be it known, that the fidelity, talents, genius, perspicuity, and experience of our faithful and dear Counsellor James Baron Malmesbury, Knight of the Most Honourable Order of the Bath, inspiring us

\* Alluding to the above credentials, a Paris paper contains a pleasant remark upon the King of Great Britain, who is styled in them *King of France*, sending a solemn deputation to his subjects, the French Republicans!



with full confidence, we have named him, and he is appointed and constituted our true, certain, and accredited Commissary and Plenipotentiary, giving and conceding him, in all respects, *full and entire* power, faculty, and authority; charging him besides with our general and special orders to confer on our part, and in our name, with the Minister or Ministers, Commissioners, and Plenipotentiaries of the French Republic, sufficiently invested with equal authority, as well with the Ministers, Commissioners, or Plenipotentiaries of the other Princes and States who may take part in the present negotiation, also invested with the same authority; to treat either separately or together; to confer upon the means of establishing a solid and durable peace, amity, and sincere concord, and to adopt all resolutions and conclusions; to sign for us, and in our name, all the said conventions or conclusions; to make, in consequence, every treaty or treaties, and all other acts as he shall judge necessary; to deliver and receive mutually, all other objects relative to the fortunate execution of the above-mentioned work; to transact with the same force and with the same effect, as we should be able to do if we assisted in person; guaranteeing, and on our royal word promising, that all and each of the transactions and conclusions which shall be made and determined by our said Plenipotentiary, shall be made and agreed upon, ratified, accepted, and adopted with the best faith; that we shall never suffer any one, either in whole or in part, to infringe and act contrary to them; and in order to give to every thing more security and force, we have signed the present with our Royal Hand, and affixed to it the Great Seal of Great Britain.

“Given in our Palace at St. James’s, 13th October, year of grace 1796, and of our reign the 37th.”



The negotiation had scarcely commenced between Lord Malmesbury and the Minister for Foreign Affairs when they were suspended. In the first conference it was demanded of the English Negotiator, if he was furnished with powers and instructions from the other belligerent powers to stipulate in their name? He answered, No; but he added, that when the Directory shall have explained themselves on the principle laid down in his Memorial, he would dispatch couriers to give an account to the different Courts of the state of the negotiation, and to receive their orders. It was then asked the Ambassador, if he could not at least specify the principle of retrocessions which concern the French Republic and Great-Britain? He answered, that after the Directory should have explained itself, he would expedite couriers; and likewise request instructions on this point.

(No. 14.)

*Memorial delivered to the Minister of the French Republic for Foreign Affairs, by Lord Malmesbury.*

His Britannic Majesty desiring, as he has already declared, to contribute, as far as depends on himself, to the re-establishment of the public tranquillity, and to ensure, by the means of just, honourable, and solid conditions of peace, the future repose of Europe; his Majesty is of opinion, that the best means of obtaining, with all possible expedition, that salutary end, will be to agree, at the beginning of the negotiation, on the general principle which shall serve as a basis for the definitive arrangements.

The first object of the negotiation for peace generally relates to the restitutions and cessions which the respec-



tive parties have mutually to demand, in consequence of the events of the war.

Great-Britain, after the uninterrupted success of her naval war, finds herself in a situation to have no restitution to demand of France, from which, on the contrary, she has taken establishments and colonies of the highest importance, and of a value almost incalculable.

But, on the other hand, France has made, on the continent of Europe, conquests, to the which his Majesty can be the less indifferent as the most important interests of his people, and the most sacred engagements of his crown, are essentially implicated therein.

The magnanimity of the King, his inviolable good faith, and his desire to restore repose to so many nations, lead him, in this situation of affairs, to consider the means of procuring terms of peace just and equitable for all the belligerent powers, and calculated to insure in future the general tranquillity.

It is on this footing, then, that he proposes to negotiate, by offering to compensate France, by proportionable restitutions, for those arrangements to which she will be called upon to consent, in order to satisfy the just demands of the King's allies, and to preserve the political balance of Europe.

Having made this first overture, his Majesty will, in the sequel, explain himself in a more extensive manner, on the application of this principle to the different objects which may be discussed between the respective parties.

It is this application which will constitute the subject of those discussions into which his Majesty has authorized his Minister to enter, as soon as the principle to be adopted as the general basis of the negotiation is known.

But his Majesty cannot dispense with declaring, that



if this generous and equitable offer shall not be accepted, or if, unfortunately, the discussions which may ensue, may fail in the desired effect, neither this general proposition, nor those more detailed which may result from it, shall be regarded, in any case, as points agreed upon or recorded by his Majesty.

(Signed)

MALMSBURY,

*Minister Plenipotentiary from  
his Britannic Majesty.*

Paris, Oct. 24, 1796.

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(No. 15.)

Report to the Directory by the Minister for Foreign Affairs.

4th Brumaire (Oct. 25.)

The Executive Directory having furnished me with full powers to treat for peace with Great-Britain, I had yesterday (3d Brumaire) my first conference with Lord Malmesbury, Plenipotentiary Commissioner of his Britannic Majesty. He presented to me the original of his powers, sealed with the seal of Great-Britain, and certified the copy which he had before presented to me unsigned; and which I had laid before the Directory. I reciprocally exhibited to him my powers, and gave him a certified copy. It was agreed, that the originals should be exchanged upon the definitive settlement of the articles, and before their signature.

We entered into discussion: Lord Malmesbury presented to me the Memorial which I laid before the Directory. I observed to him, that speaking in the name of the allies of Great-Britain, and stipulating for their interests, he was, doubtless, furnished with their powers and instructions. He answered me, that he was not; but that, when the Directory should have explained itself upon the principle laid down in his Memorial, he would

expedite couriers, to give to the different courts an account of the negotiations, and to receive their orders. I demanded of him if he could at least specify the principle of concession in what concerned the Republic and the Government of Great-Britain? He replied, that after the Directory should have explained itself, he would send a courier, and demand instructions on this point. I then thought it my duty to say to Lord Malmesbury, that I would lay his Memorial before the Directory; that I would take its orders, and impart to him its answer.

(Signed)

CH. DELACROIX.

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( No. 16. )

*Extract from the Register of the Deliberations of the  
Executive Directory.*

Paris, 5th Brumaire, 5th year of the Republic,  
one and indivisible.

The Executive Directory orders the Minister for Foreign Affairs to make the following answer to Lord Malmesbury:

The Executive Directory see with pain, that at the moment when they had reason to hope for the very speedy return of peace, between the French Republic and his Britannic Majesty, the proposition of Lord Malmesbury offers nothing but dilatory, or very distant means of bringing the negotiation to a conclusion.

The Directory observe, that if Lord Malmesbury would have treated separately, as he was formally authorised by the tenour of his credentials, the negotiations might have been considerably abridged: that the necessity of balancing with the interests of the two powers, those of the allies of Great-Britain, multiplies the combinations, increases the difficulties, tends to the



formation of a Congress, the forms of which it is known are always tardy, and requires the accession of powers which hitherto have displayed no desire of accommodation, and have not given to Lord Malmſbury himſelf, according to his own declaration, any power to ſtipulate for them.

Thus, without prejudicing the intentions of Lord Malmſbury; without drawing any concluſion from the circumſtance of his declaration not appearing to accord with his credentials; without ſuppoſing that he had received any ſecret inſtructions which would deſtroy the effect of his oſtenſible powers; without pretending, in ſhort, to aſſert, that the Britiſh Government had a double object; to prevent, by general propoſitions, the partial propoſitions of other powers, and to obtain from the people of England the means of continuing the war, by throwing upon the Republic the odium of a delay occaſioned by themſelves; the Executive Directory cannot but perceive, that the propoſition of Lord Malmſbury is nothing more than a renewal, under more amicable forms, of the propoſitions made laſt year by M. Wickham, and that it preſents but a diſtant hope of peace.

The Executive Directory farther obſerve, with regard to the principle of ceſſion advanced by Lord Malmſbury, that ſuch principle, preſented in a vague and iſolated manner, cannot ſerve as the baſis of negotiation; that the firſt points of conſideration are, the common neceſſity of a juſt and ſolid peace, the political equilibrium which abſolute ceſſions might deſtroy, and then the means which the belligerent powers may poſſeſs; the one to retain conqueſts made at a time when it was ſupported by a great number of allies now detached from the coalition; and the other to recover them at a time when



those who were at first its enemies, have, almost all, either become its allies or neuter.

Nevertheless the Executive Directory, animated with an ardent desire of putting a stop to the scourge of war, and to prove that they will not reject any means of reconciliation, declare, that as soon as Lord Malmfbury should exhibit to the Minister for Foreign Affairs sufficient powers from the allies of Great-Britain, for stipulating for their respective interests, accompanied by a promise on their part to subscribe to whatsoever shall be concluded in their names, the Executive Directory will give a speedy answer to the specific propositions which shall be submitted to them, and that the difficulties shall be removed, as far as may be consistent with the safety and dignity of the French Republic.

(Signed)

REVEILLIERE LEPAUX, PRESIDENT,  
LA GARDE, GENERAL SECRETARY.

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After receiving this answer, Lord Malmfbury wrote to his Court, by an extraordinary courier, to obtain the powers required of him, without which, it was evident, he could not act. "Thus supposing (says the *Messager Du Soir*) that the British Cabinet have not sent us a new *Arous*, and that they are really anxious to take efficacious measures for giving speedy satisfaction to the Directory, the negotiations will at least be suspended for some time."

After this answer was published by the Directory, Lord Malmfbury had another conference with the Minister Delacroix. In this conference his Lordship declared it to be the intention of the British Government not to negotiate for a *separate* peace. The basis of the negotiation was mentioned, and Delacroix asked, whether Great-Britain meant to propose the *status quo*, or the *uti possidetis*? His Lordship replied, that neither the

status quo, nor the *uti possidetis*, were meant. He was then asked, whether his Lordship was authorized to conclude a definitive treaty for all the allies? To this question he replied, that he would send for instructions from his Court on this head. The Directory consented that Lord Malmfbury should remain at Paris till he received these instructions; and Mr. Sylveſter was immediately ſent by his Lordſhip to England with diſpatches.

Lord Malmfbury having been inſulted in different public papers, and particularly in a journal (the *Redacteur*) publiſhed at the expence of Government, wrote to the Miniſter for Foreign Affairs to complain of the inſults beſtowed upon him daily, and demanded, whether they were to be conſidered *as official*? The French Miniſter replied to the Ambaſſador, in the frankeſt manner, that the Government had no hand in thoſe inſults.



(No. 17.)

On the 12th of November, Lord Malmfbury delivered the following Note to the Miniſter for Foreign Affairs:

The underſigned has not failed to tranſmit to his Court the answer of the Executive Directory to the propoſitions which he was charged to make, and which were intended to ſerve as overtures to a negotiation of peace.

With reſpect to the injurious and offenſive inſinuations contained in that answer, and which are only fit to throw new obſtacles in the way of that reconciliation which the French Government profeſſes to deſire, the King has thought it far beneath his dignity to allow any reply whatever to be returned on his part. The progreſs and reſult of the negotiation will no doubt evince the principles on which it ſhall have been conducted on

either side; and it is neither by reproaches, as disgusting as they are without foundation, nor by reciprocal insults, that a sincere intention is shewn to further the work of peace.

The undersigned proceeds therefore to the first object of discussion set forth in the answer of the Executive Directory, viz. that of a separate negotiation, to which it has, without the least foundation, supposed that the undersigned was authorized to accede. His credentials and powers, drawn up in the usual form, fully authorize him to negotiate and conclude a peace; but they prescribe neither the form and nature, nor the terms of the future treaty. On these points he must, pursuant to the custom long established and acknowledged, conform himself to the instructions received from his Court; and he has consequently not failed to inform the Minister for the Department of Foreign Affairs, in their very first conference, that the King, his master, had expressly enjoined him not to listen to any proposal tending to separate the interests of his Majesty from those of his allies.

A negotiation which embraces the interests and pretensions of all the powers who make a common cause with the King in this present war, is therefore the only one that can take place. In the course of such a negotiation, the intervention, or at least the participation of these powers, will no doubt become absolutely necessary; and his Majesty hopes to find at all times the same disposition to treat on a just and equitable basis, of which his Majesty the Emperor and King gave the French Government so striking a proof at the very opening of this campaign.

But to wait for a formal and definitive authority on the part of the King's allies, before Great-Britain and France should begin to discuss, even provisionally, the

principles of the negotiation, would cause, it appears, a very useless delay. A course widely different has been pursued by the two powers on all former occasions of the same nature, and his Majesty is of opinion, that the best pledge which at this moment they can give to all Europe of their mutual desire to put a period as soon as possible to the calamities of war, would be to settle, without delay, a basis of combined negotiation, and to invite their allies to participate in it, in the manner best calculated to accelerate a general peace.

It was with this view that the undersigned had it in command to propose, at the very commencement of this negotiation, a principle, which his Majesty's generosity and known good faith could alone dictate to him, viz. to indemnify France, by proportionate restitutions, for such arrangements as she will consent to, in order to satisfy the just claims of the allies of the King, and to preserve the political balance of Europe. The Executive Directory has not explained itself in a precise manner either on the approbation of this principle, nor on the alterations and modifications which it may desire; nor has it proposed any other principle tending to the same end. The undersigned is, therefore, ordered to resume the subject, and to demand on this head an open and precise declaration, in order to shorten the delay which must otherwise result from the difficulties raised by the Directory with respect to the form of his powers. He is authorized to add to this demand the express declaration, that whilst his Majesty shall acquaint his august allies with all his successive steps relative to the object of this present negotiation, and fulfil towards those Sovereigns, in the most efficacious manner, every duty of a good and faithful ally; he will, at the same

time, neglect nothing on his part, both to dispose them to concur in this negotiation, by all such means as are most fitted to accelerate its progress, and ensure its success, and to preserve them in dispositions favourable to his wish for the return of a general peace, on just, permanent, and honourable conditions.

(Signed)

MALMSBURY.

Paris, Nov. 12, 1796.



(No. 18.)

Answer of the Minister of the Department of Foreign Affairs to the Note of Lord Malmesbury.

The undersigned is charged by the Executive Directory to invite you to point out distinctly, and as soon as possible, the objects of reciprocal compensation which you have to propose.

He has it also in command to ask you, where is 'the disposition to treat, on a just and equitable basis, of which his Majesty the Emperor and King has given the French Government so striking a proof at the very moment of the opening of this campaign?' The Executive Directory is not acquainted with it. It was the Emperor and King who broke the armistice.

(Signed)

C. DELACROIX.

Paris, the 22d Brumaire (12th November)

5th year of the French Republic, one
and indivisible.



In consequence of the above answer from the Directory, Lord Malmesbury dispatched Mr. Timms, the messenger, to England.

(No. 19.)

Note addressed by Lord Malmſbury to the Miniſter for Foreign Affairs, 23d Brumaire (Nov. 13) written under the date Nov. 12, 1796.

The underſigned does not hesitate a moment to reply to the two questions which you are charged to put to him, on the part of the Executive Directory.

The Memorial presented this morning by the underſigned, propoſes in expreſs terms, on the part of his Maſteſty the King of Great Britain, to compensate France, by proportional reſtitutions, for the arrangements to which ſhe may conſent, in order to ſatisfy the juſt claims of the allies of the King, and to preſerve the political balance of Europe.

Until the formal acceptation of this principle, or the enunciation on the part of the Executive Directory, of any other which may ſerve for a baſis to the negotiation of a general peace, the underſigned will not be authorized to point out the objects of reciprocal compensation.

With reſpect to the proof of the pacific diſpoſitions afforded to the French Government by his Maſteſty the Emperor and King, at the opening of the campaign, the underſigned contents himſelf with quoting the following words, which are contained in the note of Baron Dégelman, on the 4th of June laſt:

“The operations of the war will by no means prevent his Imperial Maſteſty from being always induced to concur, according to ſuch form of negotiation as ſhall be adopted, in concert with the belligerent powers, in the diſcuſſion of the proper means for putting an end to the ulterior effuſion of human blood.”

This note was presented after the breaking of the armistice.

(Signed)

MALMSBURY.

(No. 20.)

Answer of the Minister for Foreign Affairs to the preceding Note.

Paris, 23 Brumaire.

The undersigned, in reply to your second note of yesterday, is charged by the Executive Directory to declare to you, that they have nothing to add to the reply that has been addressed to you. He is also charged to ask you whether, at each official communication which shall be made between you and him, it will be necessary that you should send a courier to receive special instructions.*

(Signed)

CHARLES DELACROIX.

(No. 21.)

Reply of Lord Malmesbury to the Letter from the Minister for Foreign Affairs, dated the 23d Brumaire (Nov. 13).

“The undersigned will not fail to transmit to his Court the note which he has just received from the Minister for Foreign Affairs. He also declares that he shall be in the situation of expediting Couriers to his Court every time that the official communications which shall be made to him shall require special instructions.

(Signed)

“MALMSBURY.”

Paris, November 13, 1796.

* It would not have been amiss to have erected Telegraphs from London to Dover, and from Calais to Paris, by which orders might have been rapidly communicated, and the whole science of diplomacy successfully practised by the talents necessary to superintend the mechanical movement of a Telegraph.

(No. 22.)

Letter addressed to the Minister for Foreign Affairs, the 23d Brumaire, in the morning, by Lord Malmesbury, Ambassador from the British Cabinet.

Paris, Nov. 13, 1796.

The Minister Plenipotentiary from his Britannic Majesty addresses himself to the Minister for Foreign Affairs, and entreats him to inform him, whether he is to consider the official Note which he received from him yesterday evening, as the reply to that which Lord Malmesbury sent yesterday morning to the Minister for Foreign Affairs, by order of his Court. He makes this request, that he may not needlessly delay the departure of his courier.

(Signed)

MALMSBURY.

(No. 23.)

Reply of the Minister for Foreign Affairs to the preceding Letter.

Paris, 23d Brumaire, 5th year of the French Republic,
one and indivisible.

The undersigned Minister for Foreign Affairs declares to Lord Malmesbury, Plenipotentiary from his Britannic Majesty, that he is to consider the official note which he transmitted to him yesterday, as the reply to that which Lord Malmesbury addressed to him on the morning of the same day.

(Signed)

CH. DELACROIX.

(No. 24.)

Second Letter from Lord Malmesbury to the Minister for Foreign Affairs.

Paris, November 13.

Lord Malmesbury has just received the answer of the Minister for Foreign Affairs, in which he declares that

the official note, which he transmitted to him yesterday is to be regarded as the answer to that which Lord Malmfbury sent him in the morning of the same day.

Lord Malmfbury will this day send the communication to his Court.

(Signed)

MALMSBURY.

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The two parties were, at this time, thus situated: the one proposed a particular principle as a basis; the other desired the detail of that principle: the former declined entering into the details until the latter declared whether the principle would be acceded to or not: the latter, without giving that declaration, but yet without refusing to accede to the principle, continued to desire the detail.

It is easy to discover that there existed, from the commencement of the negotiation, doubt, distrust, and suspicion on both sides: there was nothing cordial, nothing conciliating in the first advances; every thing was formal, cold, and repulsive. The Directory all along seemed to suspect that the English Government were not sincere; that they offered peace with the wish that their offers might be refused; they appeared to think that if the British Minister had really desired a general peace, he would previously acquainted the Emperor, in order that he might have sent his Negotiator to Paris, to co-operate with the Negotiator deputed from Great-Britain.

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(No. 25.)

From Lord Malmfbury to the Minister for Foreign Affairs.

The Court of London, having been informed of what passed after the receipt of the last Memorial delivered, by their order, to the Minister for Foreign Affairs, find that there is not any thing whatever to be added to the

answer made by the undersigned to the two questions which the Directory thought proper to address to them.

They wait then, and with the greatest interest, for an explanation of the sentiments of the Directory, with regard to the principle proposed, on their part, as the basis of the negotiation, and the adoption of which appeared to be the best means of accelerating the progress of a discussion so important to the happiness of so many nations.

The undersigned has, in consequence, received orders to renew the demand of a frank and precise answer on this object, in order that his Court may know, with certainty, whether the Directory accept the said proposition; whether they desire to make any change or modifications whatever in it; or, lastly, whether they will propose any other principle, that may promote the same end.

(Signed)

MALMSBURY.

Paris, Nov. 26, 1796.

(No. 26.)

*Answer of the Minister for Foreign Affairs to Lord Malm-
bury's Note.*

In answer to the note delivered yesterday, Nov. 26, by Lord Malmbury, the undersigned Minister for Foreign Affairs is instructed by the Directory to observe, that the answers made on the 5th and 22d of last Brumaire, contained an acknowledgment of the principle of compensation, and that, in order to remove every pretext for farther discussion on that point, the undersigned, in the name of the Executive Directory, again makes a formal and positive declaration of such acknowledgment.

In consequence, Lord Malmbury is again invited to give a speedy and categorical answer to the proposition made to him on the 22d of last Brumaire, and which was conceived in these terms:

“The undersigned is instructed by the Executive Directory, to invite you to point out, with all possible expedition, and expressly, the objects of reciprocal compensation which you have to propose.”

CH. DELACROIX.

Paris, Nov. 27, 1796.

(No. 27.)

Answer of Lord Malmesbury to the Note of the Minister for Foreign Affairs, of the 7th Frimaire.

The undersigned Minister Plenipotentiary of his Britannic Majesty, in answer to the note, dated this morning, which has been delivered to him on the part of the Minister for Foreign Affairs, is eager to assure him that he will not delay a moment in communicating the said note to his Court, for whose farther orders he must necessarily wait before he can be able to express himself respecting the important points which it contains.

MALMSBURY.

Paris, Nov. 27, 1796.

Up to this period the Directory made it a point to publish all the official correspondence between the two Ministers, when Lord Malmesbury stated that he should be authorized to propose specific terms of compensation and concession, but that the British Government were of opinion that the publishing of the official communications on both sides was not the most likely mode to promote the object of the negotiation; he suggested, therefore, the propriety and prudence of concealing the specific terms of concession, at least, until they had been maturely discussed. The answer of the Directory was to this effect: ‘That they had made all the communications public, in order to enable the whole world to become judges between

the two parties; but if the British Government were of opinion that the object of the negotiation would be better promoted by a different mode of conduct, they had no objection to keep the terms of concession secret.

An incontestible proof that the French Republic were animated by a sincere desire to further the desired peace by every means requested by Great-Britain.

At this time the Directory demanded a passport from the Court of Vienna for a Commissioner to proceed to that Court with proposals to treat for a general *armistice* with the Emperor during the negotiation, and to make some overtures calculated to accelerate that end. The great object of the Directory was to induce the Emperor to make a separate peace. It was granted, and the Commissioner appointed was General Clarke, an Irishman, of very considerable talents. On the above appointment the Directory published the following note:

“Several persons are lost in conjectures upon the sending, some days ago, of a Negotiator to Vienna by the Executive Directory; and some have taken occasion to circulate pert sarcasms upon the pacific intentions of the Government; when, on the contrary, this step must of itself be sufficient to give the most marked evidence of their ardent desire to remove all obstacles to amicable approaches with the most powerful enemy of the Republic.”



(No. 28.)

The undersigned is charged to transmit to the Minister for Foreign Affairs, the enclosed Memorial, containing the proposals of his Court, with respect to the application of the general principle already established, as the basis of the negotiation for peace.

He will, with the utmost readiness, enter with that Minister into every explanation which the state and progress of the negotiation will allow, and he will not fail to enter into the discussion of these propositions, or of any counter-project which may be transmitted to him on the part of the Executive Directory, with that frankness and that spirit of conciliation which correspond with the just and pacific intentions of his Court.

(Signed)

MALMSBURY.

Paris, Dec. 17, 1796.

(No. 29.)

Confidential Memorial, on the principal Objects of Restitution, Compensation, and Reciprocal Arrangement.

The principle already established, as the basis of the negotiation, by the consent of the two Governments, is founded on restitutions to be made by his Britannic Majesty to France, in compensation for the arrangements to which that power may consent, in order to satisfy the just pretensions of the allies of the King, and to preserve the political balance of Europe.

In order to accomplish these objects, in the manner most complete, and to offer a fresh proof of the sincerity of his wishes for the re-establishment of general tranquillity, his Majesty would propose, that there should be given to this principle, on each side, all the latitude of which it may be susceptible.

I. His Majesty demands therefore,

1. The restitution, to his Majesty the Emperor and King, of all his dominions, on the footing of the *status ante bellum*.

2. The re-establishment of peace between the Germanic Empire and France, by a suitable arrangement,

conformable to their respective interests, and to the general safety of Europe. This arrangement to be negotiated with his Imperial Majesty, as constitutional head of the Empire, either by the intervention of the King, or immediately, as his Imperial Majesty shall prefer.

III. The evacuation of Italy by the French troops, with an engagement not to interfere in the internal affairs of that country; which should be re-established, as far as possible, upon the footing of the *status ante bellum*.

In the course of the negotiation, a more detailed discussion may be entered into of the further measures which it may be proper to adopt, respecting the objects of these three articles, in order to the providing more effectually for the future security of the respective limits and possessions, and for the maintenance of general tranquillity.

II. With regard to the other allies of his Britannic Majesty, his Majesty demands, that there be reserved to her Majesty the Empress of all the Russias, a full and unlimited power of taking part in this negotiation, whenever she may think fit, or of acceding to the definitive treaty, and thereby returning to a state of peace with France.

III. His Majesty also demands, that her Most Faithful Majesty may be comprehended in this negotiation, and may return to a state of peace with France, without any cession or burdensome condition on either side.

IV. On these conditions his Majesty offers to France the entire and unreserved restitution of all the conquests which he has made on that power in the East and West Indies, proposing at the same time that a mutual understanding should be established as to the means of securing for the future the tranquillity of the two nations, and of consolidating, as much as possible, the advantages of

their respective possessions. His Majesty offers, in like manner, the restitution of the islands of St. Pierre and Miquelon, and of the Fishery of Newfoundland, on the footing of the *status ante bellum*.

But if, in addition to this, his Majesty were to wave the right given to him by the express stipulations of the Treaty of Utrecht, of opposing the cession of the Spanish part of St. Domingo to France, his Majesty would then demand, in return for this concession, a compensation which might secure, at least in some degree, the maintenance of the balance of the respective possessions in that part of the world.

V. In all the cases of cessions or restitutions, which may come in question in the course of this negotiation, there should be granted on each side, to all individuals, the most unlimited right to withdraw with their families and their property, and to sell their land and immoveable possessions; and adequate arrangements should also be made, in the course of this negotiation, for the removal of all sequestrations, and for the satisfaction of their just claims, which individuals on either side may have to make upon the respective governments.

(Signed)

MALMSBURY.

(No. 30.)

*Confidential Memorial on the Peace with Spain
and Holland.*

The allies of France not having hitherto expressed any desire or disposition to treat with the King, his Majesty might have forbore to enter into any detail on their account; but in order to avoid any details prejudicial to the great object which the King has in view, and to accelerate the work of a general peace, his Ma-

Majesty will not refuse to explain himself, in the first instance, on the points which concern those powers. If, then, the Catholic King should desire to be comprehended in this negotiation, or to be allowed to accede to the definitive treaty, this would meet with no obstacle on the part of his Majesty. Nothing having been conquered by either of the two Sovereigns from the other, no other point could, at the present moment, come into question but that of the re-establishment of peace, simply, and without any restitution or compensation whatever, except such as might possibly result from the application of the principle declared at the end of the fourth article of the Memorial already delivered to the Minister for Foreign Affairs.

But if, during the negotiation, any alteration shall take place in the state of things in this respect, it will then be proper to agree upon the restitutions and compensations to be made on each side.

With regard to the Republic of the United Provinces, his Britannic Majesty and his allies find themselves too nearly interested in the political situation of those provinces to be able to consent in their favour to the re-establishment of the *status ante bellum*, as with respect to territorial possessions, unless France could, on her part, reinstate them in all respects in the same political situation in which they stood before the war.

If at least it were possible to re-establish in those provinces, agreeably to what is believed to be the wish of a great majority of the inhabitants, their ancient constitution and form of government, his Majesty might then be disposed to relax, in their favour, from a very considerable part of the conditions on which the present state of things obliges him to insist.

But if, on the contrary, it is with the Republic of

Holland, in its present state, that their Britannic and Imperial Majesties will have to treat, they will feel themselves obliged to seek, in territorial acquisitions, those compensations, and that security which such a state of things will have rendered indispensable to them.

Restitutions of any kind, in favour of Holland, could in that case be admitted in so far only as they shall be compensated by arrangements calculated to contribute to the security of the Austrian Netherlands. The means of accomplishing this object will be found in the cessions which France has exacted in her treaty of peace with Holland, and the possession of which by that power would, in any case, be absolutely incompatible with the security of the Austrian Netherlands in the hands of his Imperial Majesty.

It is on these principles that his Britannic Majesty would be ready to treat for the re-establishment of peace with the Republic of Holland in its present state. The details of such a discussion must necessarily lead to the consideration of what would be due to the interest and the rights of the House of Orange.

(No. 31.)

Paris, Dec. 20, 1796.

MY LORD,

Mr. Ellis returned here from London on Thursday last, the 15th instant, at five P. M. and delivered to me the dispatches, No. 11 and 12, with which he was charged by your Lordship.

Although nothing can be clearer, more ably drawn up, or more satisfactory than the instructions they contain, yet as it was of the last importance that I should be completely master of the subject before I saw the French Minister, I delayed asking for a conference till late on

Friday evening, with a view that it should not take place till Saturday morning,

He appointed the hour of eleven A. M. on that day, and it was near one before we parted. Although what is said by M. Delacroix before he had communicated with the Directory cannot be considered as officially binding, and probably may, in the event, be very different from what I shall hear when he speaks to me in their name, yet as it is impossible that they should not nearly conjecture the nature of the overtures I should make, and of course be prepared in some degree for them, it is material that your Lordship should be accurately acquainted with the first impressions they appear to make on M. Delacroix.

I prefaced what I had to communicate with saying, that I now came authorized to enter with him into deliberation upon one of the most important subjects that perhaps ever was brought into discussion; that its magnitude forbade all *finesse*, excluded all prevarication, suspended all prejudices, and that as I had it in command to speak with freedom and truth, I expected that he, on his part, would consider these as the only means which could or ought to be employed, if he wished to see a negotiation, in which the happiness of millions was involved, terminate successfully: That, for greater precision, and with a view to be clearly understood in what I was about to propose, I would give him a confidential memorial, accompanied by an official note, both of which, when he had perused them, would speak for themselves. The memorial contained the conditions, on the accomplishment of which his Majesty considered the restoration of peace to depend. The note was expressive of his Majesty's readiness to enter into any explanation required by the Directory on the subject, or to

receive any *contre projet*, resting on the same basis, which the Directory might be disposed to give in: That, moreover, I did not hesitate declaring to him, in conformity to the principles which I had laid down, and from which I certainly never should depart at any period of the negotiation; that I was prepared to answer any questions, explain and elucidate any points, on which it was possible to foresee that doubts or misconceptions could arise on the consideration of these papers. And having said thus much, I had only to remark, that I believed, in no similar negotiation which had ever taken place, any Minister was authorized, in the first instance, to go so fully into the discussion as I now was: That I was sure neither the truth of this remark, nor the manifest conclusion to be drawn from it, would escape M. Delacroix's observation.

I then put the two papers into his hands. He began by reading the note, on which of course he could only express satisfaction. After perusing the Confidential Memorial with all the attention it deserved, he, after a short pause, said, that it appeared to him to be liable to insurmountable objections; that it seemed to him to require much more than it conceded, and, in the event, not to leave France in a situation of proportional greatness to the powers of Europe. He said, the Act of their Constitution, according to the manner it was interpreted by the best publicists (and this phrase is worthy remark) made it impossible for the Republic to do what we required. The Austrian Netherlands were annexed to it; they could not be disposed of without flinging the nation into all the confusion which must follow a convocation of the Primary Assemblies; and he said, he was rather surprised that Great-Britain should bring this forward as the governing condition of the treaty, since he thought

he had, in some of our late conversations, fully explained the nature of their Constitution to me. I replied, that every thing I had heard from him on this point was perfectly in my recollection, as it probably was in his, that though I had listened to him with that attention I always afforded to every thing he said, yet I had never made him any sort of reply, and had neither admitted nor controverted his opinion: That although I believed I could easily disprove this opinion from the spirit of the French Constitution itself; yet the discussion of that Constitution was perfectly foreign to the object of my mission; since, even allowing his two positions, viz. that the retrocession of the Austrian Netherlands was incompatible with their laws, and that we ought to have known that beforehand; yet that there existed a *droit public* in Europe, paramount to any *droit public* they might think proper to establish within their own dominions; and that if their Constitution was publicly known, the treaties existing between his Majesty and the Emperor were at least equally public; and in these it was clearly and distinctly announced, that the two contracting parties reciprocally promise not to lay down their arms without the restitution of all the dominions, territories, &c. which may have belonged to either of them before the war. That the date of this stipulation was previous to their annexing the Austrian Netherlands to France; and the notoriety of this ought, at the very moment when they had passed that law, to have convinced them that, if adhered to, it must prove an insurmountable obstacle to peace. I applied his maxim to the West India islands, and to the settlements in the East Indies; and asked him, Whether it was expected that we were to waive our right of possession, and be required still to consider them as integral parts of the French Republic which *must* be restored,

and on which no value was to be set in the balance of compensation?

I also stated the possible case of France having lost part of what she deemed her integral dominions, instead of having added to them in the course of the war, and whether then, under the apprehension of still greater losses, the Government, as it was now composed, should consider itself as not vested with powers sufficient to save their country from the impending danger, by making peace on the conditions of sacrificing a portion of their dominions to save the remainder? M. Delacroix said, this was stating a case of necessity, and such a mode of reasoning did not attach to the present circumstances. I readily admitted the first part of his proposition, but contended, that if the power existed in a case of necessity, it equally existed in all others, and particularly in the case before us, since he himself had repeatedly told me, that peace was what this country and its Government wished for, and even wanted.

M. Delacroix, in reply, shifted his ground, and by a string of arguments founded on premises calculated for this purpose, attempted to prove, that, from the relative situation of the adjacent countries, the present Government of France would be reprehensible in the extreme, and deserve impeachment, if they ever permitted the Netherlands to be separated from their dominions; that by the partition of Poland, Russia, Austria, and Prussia, had increased their power to a most formidable degree; that England, by its conquests, and by the activity and judgment with which it governed its colonies, had doubled its strength.

Your Indian empire alone, said M. Delacroix, with vehemence, has enabled you to subsidize all the powers of Europe against us, and your monopoly of trade has

put you in possession of a fund of inexhaustible wealth. His words were, "*Votre empire dans l'Inde vous a fourni les moyens de salarier toutes les puissances contre nous, et vous avez accaparé le commerce de manière que toutes les richesses du monde se versent dans vos coffres.*"

From the necessity that France should keep the Netherlands and the left bank of the Rhine for the purpose of preserving its relative situation in Europe, he passed to the advantages which he contended would result to the other powers by such an addition to the French dominions. Belgium (to use his words) by belonging to France, would remove what had been the source of all wars for two centuries past; and the Rhine, being the natural boundary of France, would ensure the tranquillity of Europe for two centuries to come. I did not feel it necessary to combat this preposterous doctrine; I contented myself with reminding him of what he had said to me in one of our last conferences, when he made a comparison of the weakness of France under its Monarchs, and its strength and vigour under its Republican form of government. "*Nous ne sommes plus dans la decrepitude de la France Monarchique, mais dans toute la force d'une République adolescente,*" was his expression; and I inferred from this, according to his own reasoning, that the force and power France had acquired by its change of government was much greater than it could derive from any acquisition of territory; and that it followed, if France when under a regal form of government was a just and constant object of attention, not to say of jealousy, to the other powers of Europe, France (admitting his own axiom) was a much more reasonable object of jealousy and attention under its present constitution than it ever had yet been, and that no addition to its domi-

nions could be seen by its neighbours but under impressions of alarm for their own future safety, and for the general tranquillity of Europe. M. Delacroix's answer to this was so remarkable that I must beg leave to insert it in what I believe to be nearly his own words:---“*Dans le tems revolutionnaire tout ce que vous dites, my Lord, etoit vrai—rien n'égalait notre puissance; mais ce tems n'existe plus. Nous ne pouvons plus lever la nation en masse pour voler au secours de la patrie en danger. Nous ne pouvons plus engager nos concitoyens d'ouvrir leurs bourses pour le verser dans le tresor national, et de se priver même du necessaire pour le bien de la chose publique.*” And he ended by saying, that the French Republic, when at peace, necessarily must become the most quiet and pacific power in Europe. I only observed, that in this case, the passage of the Republic from youth to decrepitude had been very sudden; but that still I never could admit that it could be a matter of indifference to its neighbours, much less one necessary security to itself, to acquire such a very extensive addition to its frontiers as that he had hinted at.

This led Mons. Delacroix to talk of offering an equivalent to the Emperor for the Austrian Netherlands; and it was to be found, according to his plan, in the secularization of the three ecclesiastical Electorates, and several bishoprics in Germany and in Italy.

He talked upon this subject as one very familiar to him, and on which his thoughts had been frequently employed.

He spoke of making new Electors, and named, probably with a view to render his scheme more palatable, the Stadtholder and the Dukes of Brunswick and Württemberg as persons proper to replace the three ecclesiastical Electors which were to be re-formed.

It would be making an ill use of your Lordship's time to endeavour to repeat to you all he said on this subject; it went in substance (as he himself confessed) to the total subversion of the present constitution of the Germanic body; and as it militated directly against the principle which both his Majesty and the Emperor laid down so distinctly, as the basis of the peace to be made for the empire, I contented myself with reminding him of this circumstance, particularly as it is impossible to discuss this point with any propriety till his Imperial Majesty becomes a party to the negotiation. I took this opportunity of hinting, that if on all the other points France agreed to the proposals now made, it would not be impossible that some increase of territory might be ceded to her on the Germanic side of her frontiers, and that this, in addition to the Duchy of Savoy, Nice, and Avignon, would be a very great acquisition of strength and power. M. Delacroix here again reverted to the Constitution, and said, that these countries were already constitutionally annexed to France. I replied that it was impossible, in the negotiation which we were beginning, for the other powers to take it up from any period but that which preceded the war, and that any acquisition or diminution of territory which had taken place among the belligerent powers since it first broke out, must necessarily become subject matter for negotiation, and be balanced against each other in the final arrangement of a general peace. "You then persist," said M. Delacroix, "in applying this principle to Belgium?" I answered, "Most certainly; and I should not deal fairly with you if I hesitated to declare, in the outset of our negotiation, that on this point you must entertain no expectation that his Majesty will relax or ever consent to see the Netherlands remain a part of France."

M. Delacroix replied, he saw no prospect in this case of our ideas ever meeting, and he despaired of the success of our negotiation. He returned again however, to his idea of a possible equivalent to be found for the Emperor, but as all he proposed was the alienation or dismemberment of countries not belonging to France, even by conquest, I did not consider it as deserving attention, and it is certainly not worth repeating to your Lordship.

I need not observe that all the equivalents proposed, however inadequate to the exchange, were offered as a return for our consent that the Netherlands should remain part of France; of course the admitting them in any shape would have been in direct contradiction to my instructions.

M. Delacroix touched very slightly on Italy, and the course of our conversation did not bring this part of the subject more into discussion.

I must add, that whenever I mentioned the restoration of the Netherlands to the Emperor, I always took care it should be understood that these were to be accompanied by such further cessions as should form a competent line of defence, and that France could not be permitted to keep possession of all the intermediate country to the Rhine; and I particularly dwelt on this point, when I held out the possibility of admitting an extension of the limits of France on the side of Germany. But as the French Minister no less strenuously opposed the restitution of the Netherlands to the Emperor, than I tenaciously insisted upon it, the further extension of my claim could not of course become a subject of argument.

I believe I have now, with a tolerable degree of accuracy, informed your Lordship of all that the French Minister said on my opening myself to him on that part of my instructions which more immediately relates to

peace between Great Britain, his Imperial Majesty, and France. It remains with me to inform your Lordship what passed between us on the subject of our respective allies.

On the articles reserving a right to the Court of St. Petersburg, and to that of Lisbon, to accede to the treaty of peace on the strict *status ante bellum*, the French Minister made no other remark than mentioning the allies of the Republic, and by enquiring whether I was prepared to say any thing relative to their interests, which certainly the Republic could never abandon. This afforded me the opportunity of giving in the confidential Memorial B. relative to Spain and Holland, and I prefaced it by repeating to him the substance of the first part of your Lordship's No. 12.

Although I had touched upon the subject of the Spanish part of St. Domingo, when I had been speaking to M. Delacroix on the peace with France, yet, as it did not become a matter of discussion between us till I came to mention the peace with Spain, I thought it better to place all that passed on the subject in this part of my dispatch; it was the only point on which he entered, but I by no means infer from his not bringing forward some claims for Spain, that we are not to hear of any in the course of the negotiation; on the contrary, I have little doubt that many, and most of them inadmissible, will be made before it can end. He, however, was silent on them at this moment, and confined all he had to say to combating the idea that Spain was bound by the Treaty of Utrecht not to alienate her possessions in America. I had the article copied in my pocket, and I read it to him. He confessed it was clear and explicit, but that circumstances had so materially altered since the year 1713, that engagements made then ought not to

be considered in force now. I said that the spirit of the article itself went to provide for distant contingencies, not for what was expected to happen at or near the time when the treaty was made, and that it was because the alteration of circumstances he alluded to was foreseen as possible that the clause was inserted; and that if Spain paid any regard to the faith of treaties, she must consider herself as no less strictly bound by this clause now, than at the moment when it was drawn up.

I went on by saying, that it did not, however, appear quite impossible that this point might be settled without much difficulty; and that means might be devised that his Catholic Majesty should not break his faith, and both England and France be equally satisfied. I then held out to him, but in general terms, that either Spain might regain her part of St. Domingo, by making some considerable cession to Great-Britain and France, as the price of peace, or that, in return for leaving the whole of St. Domingo to France, we should retain either Martinico, or St. Lucia and Tobago. M. Delacroix listened with a degree of attention to these proposals, but he was fearful of committing himself by any expression of approbation, and he dismissed the subject of the Court of Madrid by observing, that France never would forsake the interests of its allies.

Our conversation on those of its other ally, Holland, was much longer, as the wording of the Memorial inevitably led at once deep into the subject.

M. Delacroix affected to treat any deviation from the treaty of peace concluded between France and that country, or any restoration of territories acquired under that treaty to France, as quite impracticable. He treated as equally impracticable any attempt at restoring the ancient form of government in the Seven United Pro-

vinces. He talked with an air of triumph of the establishment of a National Convention at the Hague, and with an affectation of feeling, that by it the cause of Freedom had extended itself over such a large number of people. He, however, was ready to confess, that from the great losses the Dutch Republic had sustained in its colonies, and particularly from the weak manner in which they had defended them, it could not be expected that his Majesty would consent to a full and complete restitution of them, and that it was reasonable that some should be sacrificed; and he asked me if I could inform him how far our views extended on this point? I said I had reason to believe that what his Majesty would require, would be possessions and settlements which would not add either to the power or wealth of our Indian dominions, but only tend to secure to us their safe and unmolested possession. You mean by this, said M. Delacroix, the Cape and Trincomale? I said, they certainly came under that description; and I saw little prospect of their being restored to the Dutch. M. Delacroix launched forth on this into a most laboured dissertation on the value of the Cape of Good Hope, which he did not consider at all as a *Port de relache*, but as a possession which, in our hands, would become one of the most fertile and most productive colonies in the East; and, according to his estimation of it, he did not scruple to assert, that it would ultimately be an acquisition of greater importance to England than that of the Netherlands to France; and, if acquiesced in, should be reckoned as a full and ample compensation for them.

He added, "If you are masters of the Cape and Trincomalé, we shall hold all our settlements in India, and the islands of France and Bourbon, entirely at the tenure of your will and pleasure; they will be ours only as long

as you choose we should retain them. You will be sole masters in India, and we shall be entirely dependent upon you." I repeated to him, that it was as a means of defence, not of offence, that these possessions would be insisted on; and that, if the matter was fairly and dispassionately discussed, he would find that they afforded us a great additional security, but no additional power of attack, even if we were disposed to disturb the peace of that part of the world. If these, and perhaps some few other not very material settlements belonging to the Dutch, were to be insisted upon, and if he would be pleased to enumerate all we should still have to restore to them, while they had nothing to restore to England, it was impossible not to consider the terms on which his Majesty proposed peace to Holland as generous and liberal.

M. Delacroix was not at all disposed to agree with me on this point; and said, Holland, stripped of these possessions, would be ruined; he then held out, but as if the hint had just crossed his mind, the possibility of indemnifying the Dutch for their losses in India, by giving them a tract of territory towards the Meuse (I could not find out whether he meant Aix-la-Chapelle, Liege, or the countries of Juliers and Berg) and hinted, that if this was not to be done, an additional Sugar Island might, perhaps, be ceded to the Dutch Republic. I told him all this might become a subject of future discussion; and I concluded, that if we could agree upon the most essential points, the treaty would not break off on those secondary considerations. Our conversation had now been extremely long, and M. Delacroix ended by saying, that, although he had taken upon himself to enter with me thus far upon the subject, yet I must not consider any thing he said as binding, or as pledging the

Republic, till such time as he had laid the papers I had given him before the Directory; and, in order to do this with more accuracy, he again asked me, Whether in his report he was to state the disuniting Belgium from France as a *sine qua non* from which his Majesty would not depart? I replied, it most certainly was a *sine qua non* from which his Majesty would not depart; and that any proposal which would have the Netherlands annexed to France would be attended with much greater benefit to that power, and loss to the allies, than the present relative situation of the belligerent powers could entitle the French Government to expect.

M. Delacroix repeated his concern at the peremptory way in which I made this assertion, and asked, whether it would admit of no modification? I replied, if France could, in a *contre-projet*, point out a practicable and adequate one, still keeping in view, that the Netherlands must not be French, or likely again to fall into the hands of France, such a proposal might certainly be taken into consideration.

M. Delacroix by no means encouraged me to explain myself more fully; he repeatedly said, that this difficulty relative to the Netherlands was one which could not be overcome.

Just as I was taking leave of him, he begged me to explain what was meant by the words in the memoir [A] in the fourth paragraph, beginning “*de s’entendre mutuellement sur les moyens d’assurer,*” and ending at “*leurs possessions respectives.*” I told him it referred to the destructive system adopted by France in the West Indies, and went to express a wish, that the two powers should agree on some general and uniform system of internal police in the settlements there, which would contribute to the security of these possessions to the respective coun-

tries, and at the same time to the happiness of every description of inhabitants in them.

M. Delacroix, a little hurt at my expression relative to the system adopted by France, endeavoured to recriminate on us; but he ended by saying, that they should certainly be willing to concur in any arrangement relative to the negroes, which did not militate against the principles of their Constitution.

Here our conference ended; and as, during the whole course of it, I bore in my mind the possibility, that, although this our first might be the only favourable opportunity I should ever have of speaking on the general principles on which his Majesty was disposed to treat, I endeavoured, by adverting more or less to almost every point in my instructions, to enable M. Delacroix (if he reports faithfully) to state to the Directory what I said in such a manner as to put it out of their power to misconceive what were his Majesty's intentions, to remove all possibility of cavil on this case, and to bring them to a clear and distinct answer whether they would agree to open a negotiation on the principle of the *status ante bellum*, or on one differing from it only in form, not in substance. I hope in attempting to do this I did not, in the first instance, commit myself, or discover more of my instructions than it became me to do, and that in the conversation with M. Delacroix nothing escaped me which might, at some subsequent period, hurt the progress of the negotiation. I have, I believe, given this conference nearly verbatim to your Lordship; and I was particularly anxious to do this correctly and minutely, as well that you may judge on the propriety of what I said myself, as that what M. Delacroix said to me may be accurately known, and remain on record.

It must, however, be remembered (as I observed in

the beginning of this dispatch) that he spoke from himself, as Minister indeed, but not under the immediate instructions of the Directory; and this consideration will take a little away from the singularity of some of the positions he advanced.

I confess, my Lord, from the civility of his manners, and from his apparent readiness to discuss the subject, the impression which remained on my mind on leaving him was, that the negotiation would go on, but be liable to so many difficulties, and some of them so nearly insurmountable, that, knowing as I do the opinion of the Directory, I saw little prospect of its terminating with success.

But I did not expect the conduct of the Directory would immediately be such as to evince a manifest inclination, and even determination, to break off on the first proposals; and I was a little surprised at receiving, on Sunday, at three P. M. the inclosed letter (A) from M. Delacroix; he sent it by the principal Secretary of his department (M. Guiraudet) who communicated to me the original of the *arrêté* of the Directory, of which this letter, abating the alteration in the form, is a literal copy.

After perusing it, I asked M. Guiraudet whether he was informed of its contents? And this led to a short conversation on them. I told him that both the demands were so unexpected I could not reply to them off hand; that as to the first, it was quite unusual to sign memorials which were annexed to a note actually signed; and that I scarcely felt myself authorized to depart from what was, I believe, an invariable rule: That as to the second demand, made in so peremptory and unprecedented a way, I could without hesitation say at once that it could not be complied with. Mons. Guiraudet lamented this much, and said, that this being the case, he feared our principles of negotiation would never coincide. I

agreed with him in my expressions of concern. We conversed together afterwards for some time, but nothing passed at all worthy of remark. I told him I should send my answer the next day. On reflecting more attentively on the request that I would sign the two memorials which I had given in, it struck me that the complying with it pledged me to nothing; that it was merely gratifying them on a point insisted on peevishly, and that the doing it would put them still more in the wrong.

As to the strange demand of an ultimatum, it was perfectly clear what it became me to say, and I hope that in the inclosed answer B (which I sent yesterday morning, at twelve o'clock, to M. Delacroix) I shall be found to have adhered as closely as possible to the spirit of my instructions.

Yesterday evening, at half past nine, M. Guiraudet brought me the note C, to which I immediately replied by the note D. They require no comment; and as I intend leaving Paris to-morrow, and travelling with all convenient speed, I shall so soon have it in my power to say the little which remains relative to this sudden, though perhaps not unlooked-for close to my mission, that I need not trespass on your Lordship's patience.

I have the honour to be, &c.

(Signed) MALMSBURY

P. S. I thought it would be proper for his Majesty's Minister at Vienna to receive the earliest intelligence of the the negotiation being broken off; I therefore have dispatched a messenger to Vienna, with a copy of the several papers which have passed between me and Monsieur Delacroix since our conference, and also a succinct account of what passed on it. The messenger left this place to-day at three P. M.

Right Hon. Lord Grenville, &c. &c. &c.

The reader being now in possession of the important papers upon the subject of the negotiation, he has, without doubt, directed his attention to the two most material papers, “the *Confidential Memorial* on the principal objects of restitution, compensation, and reciprocal arrangement;” and the confidential conversation between Lord Malmfbury and M. Delacroix; he must have noticed that the terms proposed by Great-Britain are,

1. *The restitution of the Netherlands to the Emperor, together with all his dominions in Italy.*

2. *The re-establishment of peace with the Empire by an arrangement with the Emperor.*

3. *The evacuation of Italy by the French troops, with an engagement not to interfere in the internal affairs of that country, which must be re-established as far as possible upon the footing of the STATUS ANTE BELLUM.*

The British Government demanded farther, that no cession shall be required by France from Portugal; and that if the Republic keep the Spanish part of St. Domingo, she must make compensation to England. On these conditions the English Government offered to restore the territories conquered from the French in the East and West Indies, the little islands of St. Pierre and Miquelon, and the Fishery of Newfoundland, and to keep the Cape and Ceylon. The *status ante bellum* was denied to Holland, unless France re-instated the Dutch in all respects in the same political situation in which they stood before the war. If France did not reinstate them, England demanded territorial possessions as a compensation.

With regard to the Italian powers there is some contradiction between the *Confidential Memorial* and the confidential conversation. In the *Memorial* it seems as if the *status ante bellum* was demanded for the Italian

powers; and in the conversation Lord Malmfbury fays, that the addition of Savoy, Nice, and Avignon, would be a very great acquifition of power to France, thereby giving up totally Sardinia and the Pope.

But the great point moft pertinaciously infifted upon by the Englifh Government was the reftitution of the Netherlands. Lord Malmfbury declared, that, on that fubject, “*the French Republic muft entertain no expectation that his Britannic Majefty will relax, or ever confent to fee the Netherlands remain a part of France.*” The war muft be eternal; for experience has fufficiently proved that the Allied Powers do not poffefs phyfical force enough to wrefte the Netherlands from France. As the determination of the French Government not to cede them was fufficiently known from the commencement of the negotiation, Lord Malmfbury would have faved an infinite deal of trouble, and the nation great anxiety, by declaring, in the firft inftance, that the ceffion of them was a *sine qua non* with the Englifh Government.

(No. 32.)

Paris, 28th Frimaire (Dec. 18) 5th year.

SIR,

The Executive Directory has heard the reading of the official note, figned by you, and of two confidential Memorials, without fignatures, which were annexed to it, and which you gave in to me yefterday. I am charged exprefsly by the Directory to declare to you, that it cannot liften to any confidential note without a fignature, and to require of you to give in to me, officially, within four and twenty hours, your Ultimatum, figned by you.

Accept, Sir, the affurance of my high confideration,

(Signed)

CH. DELACROIX.

(No. 33.) Copy. [B]

Paris, Dec. 19, 1796.

Lord Malmfbury, in answer to the letter which the Minister for Foreign Affairs had the goodness to transmit to him through the hands of the Secretary General of his Department, must remark, that in signing the official note, which he gave in to that Minister, by order of his Court, he thought he had complied with all the usual formalities, and had given the necessary authenticity to the two confidential Memorials which were annexed to it. Nevertheless, to remove all difficulties as far as lies in his power, he willingly adopts the forms which are pointed out by the resolution of the Executive Directory, and hastens to send to the Minister for Foreign Affairs, the two Memorials signed by his hand.

With respect to the positive demand of an *Ultimatum*, Lord Malmfbury observes, that insisting on that point in so peremptory a manner, before the two powers shall have communicated to each other their respective pretensions, and that the articles of the future treaty shall have been submitted to the discussions which the different interests which are to be adjusted, necessarily demand, is to shut the door against all negotiation. He therefore can add nothing to the assurances which he has already given to the Minister for Foreign Affairs, as well by word of mouth, as in his official note; and he repeats that he is ready to enter with that Minister into every explanation of which the state and progress of the negotiation may admit, and that he will not fail to enter into the discussion of the proposals of his Court, or of any counter project which may be delivered to him, on the part of the Executive Directory, with that candour and that spirit of conciliation which correspond with the just and pacific sentiments of his Court.

Lord Malmfbury requests the Minister for Foreign Affairs to accept the assurances of his high consideration.

(No. 34.) [C.]

The undersigned Minister for Foreign Affairs is charged by the Executive Directory, to answer to Lord Malmfbury's two notes of the 27th and 29th Frimaire, (17th and 19th December, O. S.) that the Executive Directory will listen to no proposals, contrary to the constitution, to the laws, and to the treaties which bind the Republic.

And as Lord Malmfbury announces at every communication, that he is in want of the advice of his Court, from which it results that he acts a part merely passive in the negotiation, which renders his presence at Paris useless; the undersigned is further charged to give him notice to depart from Paris in eight and forty hours, with all the persons who have accompanied and followed him, and to quit as expeditiously as possible, the territory of the Republic. The undersigned declares moreover, in the name of the Executive Directory, that if the British Cabinet is desirous of peace, the Executive Directory is ready to follow the negotiations, according to the basis laid down in the present note, by the reciprocal channel of couriers.

(Signed)

CH. DELACROIX.

Paris, 29th Frimaire (19th December.)

(No. 35.) [D.]

Lord Malmfbury hastens to acknowledge the receipt of the note of the Minister for Foreign Affairs, dated yesterday. He is preparing to quit Paris to-morrow, and demands, in consequence, the necessary passports for himself and his suite.

He requests the Minister for Foreign Affairs to accept the assurances of his high consideration.

Paris, 20th Dec. 1796.

Thus ended a mission, which, in point of importance, as applied to the whole circle of Europe, stands far superior to any that ever agitated the human mind: To the future historian will be left the task of doing impartial justice to a diplomatic correspondence which has engaged the anxious attention and solicitude of every friend of the human race, not only among the nations which have so long been suffering in this dreadful conflict, but by every inhabitant on the great theatre of the civilized world.

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*Upon the subject of the failure of Lord Malmesbury's mission, the English Government published the following Manifesto:*

The negotiation which an anxious desire for the restoration of peace had induced his Majesty to open at Paris, having been abruptly terminated by the French Government, the King thinks it due to himself and his people to state in this public manner the circumstances which have preceded and attended a transaction of so much importance to the general interests of Europe.

It is well known that early in the present year his Majesty, laying aside the consideration of many circumstances of difficulty and discouragement, determined to take such steps as were best calculated to open the way for negotiation, if any corresponding desire prevailed on the part of his enemies. He directed an overture to be made in his name by his Minister in Switzerland, for the purpose of ascertaining the dispositions of the French Government



with respect to peace. The answer which he received in return was at once haughty and evasive: It affected to question the sincerity of those dispositions of which his Majesty's conduct afforded so unequivocal a proof: It raised groundless objections to the mode of negotiation proposed by his Majesty (that of a general congress, by which peace has so often been restored to Europe) but it studiously passed over in silence his Majesty's desire to learn what other mode would be preferred by France. It at the same time asserted a principle which was stated as an indispensable preliminary to all negotiation; a principle under which the terms of peace must have been regulated, not by the usual considerations of justice, policy, and reciprocal convenience; but by an implicit submission on the part of all other powers to a claim founded on the internal laws and separate constitution of France, as having full authority to supersede the treaties entered into by independent states, to govern their interests, to controul their engagements, and to dispose of their dominions.

A pretension in itself so extravagant could in no instance have been admitted, or even listened to for a moment. Its application to the present case led to nothing less than that France should, as a preliminary to all discussion, retain nearly all her conquests, and those particularly in which his Majesty was most concerned, both from the ties of interest, and the sacred obligations of treaties: That she should in like manner recover back all that had been conquered from her in every part of the world: And that she should be left at liberty to bring forward such further demands on all other points of negotiation, as such unqualified submission on the part of those whom she treated could not fail to produce.

On such grounds as these it was sufficiently evident that



no negotiation could be established: Neither did the answer of his Majesty's enemies afford any opening for continuing the discussion, since the mode of negotiation offered by his Majesty had been peremptorily rejected by them, and no other had been stated in which they were willing to concur.

His Majesty was however not discouraged even by this result from still pursuing such measures as appeared to him most conducive to the end of peace; and the wishes of his ally the Emperor corresponding with those which his Majesty had manifested, sentiments of a similar tendency were expressed on the part of his Imperial Majesty at the time of opening the campaign: But the continuance of the same spirit and principles on the part of the enemy rendered this fresh overture equally unsuccessful.

While the Government of France thus persisted in obstructing every measure that could even open the way to negotiation, no endeavour was omitted to mislead the public opinion throughout all Europe with respect to the real cause of the prolongation of the war, and to cast a doubt on those dispositions which could alone have dictated the steps taken by his Majesty and his august ally.

In order to deprive his enemies of all possibility of subterfuge or evasion, and in the hope that a just sense of the continued calamities of war, and of the encreasing distresses of France herself, might at length have led to more just and pacific dispositions, his Majesty renewed in another form, and through the intervention of a friendly power, a proposal for opening negotiations for peace. The manner in which this intervention was received, indicated the most hostile dispositions towards Great-Britain, and at the same time afforded to all Europe a striking



instance of that injurious and offensive conduct which is observed on the part of the French Government towards all other countries. The repeated overtures made in his Majesty's name were nevertheless of such a nature, that it was at last found impossible to persist in the absolute rejection of them, without the direct and undisguised avowal of a determination to refuse to Europe all hope of the restoration of tranquillity. A channel was therefore at length indicated through which the Government of France professed itself willing to carry on a negotiation, and a readiness was expressed (though in terms far remote from any spirit of conciliation) to receive a Minister, authorized by his Majesty to proceed to Paris for that purpose.

Many circumstances might have been urged as affording powerful motives against adopting this suggestion, until the Government of France had given some indication of a spirit better calculated to promote the success of such a mission, and to meet these advances on the part of Great-Britain. The King's desire for the restoration of general peace on just and honourable terms, his concern for the interests of his subjects, and his determination to leave his enemies no pretext for imputing to him the consequences of their own ambition, induced him to overlook every such consideration, and to take a step which these reasons alone could justify.

The repeated endeavours of the French Government to defeat this mission in its outset, and to break off the intercourse thus opened, even before the first steps towards negotiation could be taken; the indecent and injurious language employed with a view to irritate, the captious and frivolous objections raised for the purpose of obstructing the progress of the discussion; all these have sufficiently appeared from the official papers



which passed on both sides, and which are known to all Europe.

But above all, the abrupt termination of the negotiation has afforded the most conclusive proof, that at no period of it was any real wish for peace entertained on the part of the French Government.

After repeated evasion and delay, that Government had at length consented to establish as the basis of the negotiation, a principle proposed by his Majesty, liberal in its own nature, equitable towards his enemies, and calculated to provide for the interests of his allies, and of Europe. It had been agreed that compensation should be made to France by proportionable restitutions from his Majesty's conquests on that power, for those arrangements to which he should be called upon to consent, in order to satisfy the just pretensions of his allies, and to preserve the political balance of Europe. At the desire of the French Government itself, memorials were presented by his Majesty's Minister, which contained the outlines of terms of peace, grounded on the basis so established, and in which his Majesty proposed to carry to the utmost possible extent, the application of a principle so equitable as with respect to France, and so liberal on his Majesty's part. The delivery of these papers was accompanied by a declaration expressly and repeatedly made, both verbally and in writing, that his Majesty's Minister was willing and prepared to enter, with a spirit of conciliation and fairness, into the discussion of the different points there contained, or into that of any other proposal or scheme of peace which the French Government might wish to substitute in its place.

In reply to this communication, he received a demand in form the most offensive, and in substance the most extravagant, that ever was made in the course of any ne-



gotiation. It was peremptorily required of him, that in the very outset of the business, when no answer had been given by the French Government to his first proposal, when he had not even learnt, in any regular shape, the nature or extent of the objections to it, and much less received from that Government any other offer or plan of peace, he should in twenty-four hours deliver in a statement of the final terms to which his Court would in any case accede. A demand tending evidently to shut the door to all negotiation, to preclude all discussion, all explanation, all possibility of the amicable adjustment of points of difference. A demand in its nature preposterous, in its execution impracticable, since it is plain that no such ultimate resolution respecting a general plan of peace ever can be rationally formed, much less declared, without knowing what points are principally objected to by the enemy, and what facilities he may be willing to offer in return for concession in those respects. Having declined compliance with this demand, and explained the reasons which rendered it admissible, but having, at the same time expressly renewed the declaration of his readiness to enter into the discussion of the proposal he had conveyed, or of any other which might be communicated to him, the King's Minister received no other answer than an abrupt command to quit Paris in forty-eight hours. If, in addition to such an insult, any further proof was necessary of the dispositions of those by whom it was offered, such proof would be abundantly supplied from the contents of the note in which this order was conveyed. The mode of negotiation on which the French Government had itself insisted, is there rejected, and no practicable means left open for treating with effect. The basis of negotiation so recently established by mutual consent, is there dis-



claimed, and, in its room, a principle clearly inadmissible is re-asserted as the only ground on which France can consent to treat: The very same principle which had been brought forward in reply to his Majesty's first overtures from Switzerland, which had then been rejected by his Majesty, but which now appears never to have been in fact abandoned by the Government of France, however inconsistent with that on which they had expressly agreed to treat.

It is therefore necessary that all Europe should understand, that the rupture of the negotiation at Paris does not arise from the failure of any sincere attempt on the part of France to reconcile by fair discussion the views and interests of the contending powers; such a discussion has been repeatedly invited, and even solicited on the part of his Majesty, but has been in the first instance, and absolutely, precluded by the act of the French Government.

It arises exclusively from the determination of that Government to reject all means of peace; a determination which appeared but too strongly in all the preliminary discussions; which was clearly manifested in the demand of an ultimatum made in the very outset of the negotiation; but which is proved beyond all possibility of doubt by the obstinate adherence to a claim which can never be admitted—a claim that the construction which that Government affects to put (though even in that respect unsupported by the fact) on the internal Constitution of its own country, shall be received by all other nations as paramount to every known principle of public law in Europe, as superior to the obligations of treaties, to the ties of common interest, to the most pressing and urgent considerations of general security.

On such grounds it is that the French Government has abruptly terminated a negotiation, which it com-



menced with reluctance, and conducted with every indication of a resolution to prevent its final success. On these motives it is that the further effusion of blood, the continued calamities of the war, the interruption of peaceable and friendly intercourse among mankind, the prolonged distresses of Europe, and the accumulated miseries of France itself, are by the Government of that country to be justified to the world.

His Majesty, who had entered into the negotiation with good faith, who has suffered no impediment to prevent his prosecuting with earnestness and sincerity, has now only to lament its abrupt termination; and to renew in the face of all Europe the solemn declaration, that, whenever his enemies shall be disposed to enter on the work of general pacification in a spirit of conciliation and equity, nothing shall be wanting on his part to contribute to the accomplishment of that great object, with a view to which he has already offered such considerable sacrifices on his part, and which is now retarded only by the exorbitant pretensions of his enemies.

Westminster, 27th December, 1796.



*On the dismissal of Lord Malmesbury, the Directory published the following Official Note, which may be considered as the Counter-Declaration of the French Republic:*

The numerous and brilliant successes of the arms of the Republic have not shut the ears of the French to the voice of humanity. If they took up arms, it was in their own defence; if they pursued their enemies beyond their own territory, it was for the purpose of forcing them to conclude a peace. Peace has been the constant object of their efforts and of their wishes; and it was already re-established with most of the Powers



of the Coalition, on a happy and solid foundation, when the English Envoy was fastidiously announced.

There were a thousand grounds for distrusting the sincerity of this step in the English Government. The perfidy of the means which it had employed against us; the troubles in the interior of France, which it had excited; the false assignats with which it had inundated the country; La Vendee inflamed and supported in a state of insurrection; the traitors which it had hired; in fine, the generally recognized character of its Envoy for duplicity and intrigue, were all presumptions of its bad faith.

But eager to grasp at the hope of restoring peace to Europe, the Directory cheerfully dismissed every suspicion; it rejoiced to think that the almost incredible successes of the army of Italy, that the trophies of glory gained by the army of the Rhine and Moselle in its memorable retreat, had at least opened the eyes of the British Cabinet. It was forward in consenting to dispatch the passports demanded for the English Envoy. Its decree for this purpose was dated on the 9th of last Vendemiaire (Oct. 2)

Lord Malmfbury certainly did not feel the same eagerness; he did not arrive in Paris till the 2d Brumaire following (Oct. 25).

His first overtures seemed to indicate an intention of rendering the negotiation almost interminable.

His powers were indefinite; he might have adopted whatever form of negotiation he thought proper; he might have begun it, therefore, with that frankness and that good faith which in the course of last year have enabled us to conclude so many treaties; he might have withheld every pretension which was insulting to the Republic, or inadmissible by its constitution, its laws, and its treaties.



He might have proposed and discussed, without loss of time, sincere propositions, which would have been combated with the same frankness.

His conduct was quite the reverse. He had no power from the allies of England; he found no person at Paris charged to stipulate for their interests, which placed him in a situation to act only in virtue of that part of his powers which authorized him to treat in the name of England. He affected a wish to comprehend all the Powers in the treaty, and declared in consequence that he thought it his duty to send couriers even to Russia.

To have the air at the same time of wishing to advance the negotiation, Lord Malmesbury proposed the admission of a vague principle of proportional compensation as the basis of discussion.

These procrastinations did not put a stop to the effusion of human blood; the Directory lamented the delay; it testified its concern in the reply; nevertheless, as it was sincerely desirous of peace, it accepted every means that was proposed to expedite its arrival.

As to the principle of compensation, it did not contest it. This principle was of the essence of the negotiations into which they were to enter; the difficulties arose only from the application of the principle; it called, therefore, for this application; it asked of Lord Malmesbury, what were the objects of reciprocal compensation that he meant to propose?

This step was too rapid for his Lordship's taste; he pretended to believe that the Directory disputed the principle; his subsequent notes were more vague and complicated than his former; he affected to ask, by a note, whether the memorials transmitted to him, contained an answer to those he had previously furnished; in fine, by way of keeping up a climax in this temporising



system, Lord Malmbsbury, though he was vested with full powers, replied to every word that was said to him, that he would refer it to his Court, and each time he dispatched a courier.

The indecency of this game could not last long. The note of the 7th Frimaire (Nov. 27th) in which the Minister for Foreign Affairs was charged to repeat the demand to Lord Malmbsbury, made upon his own principle, to specify without delay, and nominatively, the objects of reciprocal compensation which he meant to propose; this note made him feel that it was at last necessary that he should explain himself; and he promised to do it. Nevertheless, and still in spite of his full powers, he dispatched not only a courier, but one of the Secretaries of his legation.

Twenty days more elapsed; and, as if Lord Malmbsbury was afraid that any one step of his proceedings should have the appearance of sincerity, the two memorials which he produced on the 27th and 29th Frimaire, were without signatures.

On the report which was made to the Directory upon these memorials; on the exposure of the overture of Lord Malmbsbury, which left no possibility of discussion, since they proposed that the Government should sign the disgrace of the Republic, the Directory gave his Lordship notice to present his *ultimatum* in twenty-four hours, and to sign it.

His Lordship signed his two memorials. A slight perusal of their contents must fill all France with that indignation with which the Directory must have read them, and demonstrate the necessity there was for dismissing the man who dared to propose them.

In these England at once dictates the restitution to his Majesty the Emperor and King, of all his estates upon the footing of possession previous to the war.



Thus, the victorious French, the French who have shed their blood, and squandered their resources, to repel an unjust aggression, were to retire shamefully within their territories, as if they had been vanquished. They were to support the weight and expence of a war which they were obliged to maintain in defence of their liberty!

Thus, in compliance with these demands too, although by the text of the Constitution a treaty cannot stipulate any alienation of the territory of the Republic, the Directory was to restore the *ci-devant* Belgium. They were to sign with their own hand the instrument of their impeachment, by the violation of the social agreement which they were specially deputed to maintain.

Thus those nations who are connected with us, who have relied upon our friendship, upon our fidelity, were to be basely abandoned!

England next imperiously dissolves the treaties we have made with the greater number of the Princes of Germany. In her eyes these treaties are of no value. It was only with his Imperial Majesty that France could have concluded them; it is upon his Imperial Majesty that the English Government is desirous of rendering that peace dependant which the Republic has granted to those States of Germany who have detached themselves from the coalition.

The evacuation of Italy is next proposed by England; it would be necessary, therefore, to abandon also *ci-devant* Savoy, and the country of Nice; it would be necessary then to exercise towards their inhabitants the same perfidy as in the case of the ancient Belgians; and in order that the consequence of this mode of conduct should call down upon France the hatred of those who have seconded her arms with their good wishes, or by their means, in order that this baseness might for ever devote the Republic to the execration of nations, England dis-



charges her from the exercise of the power of interfering in the internal affairs of these countries, and by consequence of that of warding off the vengeance which they meditate against those who have shewn themselves friendly to our cause, who by their exertions have seconded the courage of the brave army of Italy, of those, in fine, who have assisted in preventing the massacre of our brothers in arms.

To these propositions, openly infamous, succeeded clauses which a little more carefully conceal the ignominy with which the English Government desire to overwhelm us.

It reserves to the Court of St. Peterburgh the full and unlimited power of joining in the negotiation when it thinks proper. It would doubtless have interfered if we had the baseness to listen to pretensions so odious. It would indeed have interfered, and, strong through the weakness which it might reasonably have imputed to us, it would have required us to submit to new humiliations.

Portugal next figures in the project of this Lord. It reserves to Portugal too the power of joining in the negotiation; and faithful to its secret principle of throwing upon the Republic the whole expence of a war which she has been compelled to support against all Europe confederated to lay waste and dismember her territory, Lord Malmsbury nevertheless not daring to demand openly that the French Government should renounce the stipulation of a sum of money to be paid by Portugal to reimburse the Republic for the expence of the war, prepares in his memorial the foundation of that unjust pretension, and craftily proposes that in the treaty with Portugal there shall be no question of any burdensome condition either upon the one side or the other.

Not content with the important aggrandizement which the partition of Poland has conferred upon her allies;



not content with having enriched herself with the spoils of our commerce, by a treaty perfidiously purchased; not content with having thus broken the balance of Europe, the restoration of which she so loudly demands; England, under the pretext of re-establishing this very balance, has contended with the Republic against the validity of the cession which has been made by his Catholic Majesty of the Spanish part of St. Domingo. She demands a compensation for this object. Without a blush she founds her ridiculous pretension upon the 20th article of the treaty of Utrecht, which she herself, in fact, annulled by the cession which she caused to be made in her favour in 1763, of Florida, St. Augustin, and Pensacola.

In fine, in a latter article, studiously obscure and methodically complicated, Lord Malmesbury presents certain bases relative to the rights of individuals; bases, the object of which does not appear susceptible of any application, unless they refer to the Emigrants, and to the restitution of their property sold or sequestered.—*And these, forsooth, are propositions of peace!*

The second memorial of Lord Malmesbury concerns the allies of France; and this memorial is not less insulting than that we have mentioned.

After having passed cursorily over the interests of Spain, to which he supposes no indemnification to be due, he speaks of Holland; and on this head his pretensions are extravagant even to frenzy.

According to him, the French Republic ought to barter the liberty of Holland; the Stadtholderate must be restored. France must sacrifice this Republic, with which the most perfect friendship subsists, to a new revolution; trampling under foot the most sacred conventions, shamefully violating the faith of treaties, she is called upon to let loose upon the head of this people all the horrors which would arise from the re-action of the Orange party.



And what was to be the price of this infamy? Would it not be imagined that England offers upon these conditions the restitution of what treachery has enabled her to plunder from Holland? Would it not be imagined that she was to add to this offer that of some indemnification to be afterwards arranged? No; she offers only the restitution of a part of what she does not blush to consider as conquest; and doubtless, by means of the indecisive reserve she preserves, she was afterwards to announce the pretension of retaining the Cape and the island of Ceylon, still with a view of preserving the balance of Europe, which in her understanding consists in being herself every thing, and the other powers nothing.

Lord Malmesbury proposes, in fine, that if the French do not consent to tear Holland in pieces with their own hands, they should give to the Emperor and King every thing which Holland has ceded to France in the treaty concluded between them.

Such, truly, are the conditions of peace proposed by the noble Lord? Without doubt they must be considered as war-whoops by every man whose heart is not impenetrable to the love of his country; by every man who respects its laws and the faith due to its treaties. It is shame and perfidy which England proposes to us; it is the violation of our Constitution and of good faith; it is the subversion of our principles, the restoration of the Emigrants, the restitution of their fortunes, a counter-revolution, anarchy, and civil war; it is every evil, every misfortune, and every crime united, with which they present us in pretending to ask for peace! Perfidious England, or rather, crafty and nefarious English Government! you only wished for money, and this was the only object of your embassy! you wished to deceive the people whose happiness is intrusted to you! you wished to obtain from them resources, without which your un-



meaning rage would become impotent. But do not count upon the successes with which you flatter yourself; you are about to lavish your new treasures to no purpose; you are going only to assure and hasten your ruin; your vain boast of public credit will come to nought as soon as the blindness of the nation is removed; French courage will soon lessen your arrogance; the heroes who beat you in the fields of Hondscote, Gemappe, Fleurus, Werwick, Comines, &c. upon the frozen plains of Holland, upon the banks of the Adige, in the necks of the Brenta, of Trou-d'Esers, &c. these heroes still exist; they will force you to restore to the world that peace which humanity demands, and which your avarice and devouring ambition withhold.

Friends of peace! take courage, blood will not continue long to flow. England cannot steel the hearts of all the powers against the cry that humanity has raised. Austria! Austria itself will soon open its eyes; alarmed at a war to which it sees no end; exhausted by the immense expence of a lengthened struggle; deprived of the resources of those States now in our possession; undeceived respecting the English Government, who calling itself her ally has preserved what was its own, and has left her despoiled of Belgium, of a part of Germany, and of Italy; pressed by her own subjects, upon whom the devastations consequent upon the war chiefly fall; Austria, in fine, under the influence of better counsels, menaced perhaps from another quarter, will feel the necessity of treating with the Republic; and then England, standing by itself, and justly exposed to all the resentment of the French, will not be able to dissemble its weakness, and will receive with more gentleness a peace which it now dares to disdain.



